

OVERLOOK AT HOMESTEAD FILING NO. 1 FINAL PLAT

LETTER OF INTENT

OWNER/APPLICANT:

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CONSULTANT:

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REQUEST

PT Overlook LLC requests approval of a Final Plat for Overlook at Homestead Filing No. 1, comprised of 36 single family lots, and one tract on 202 Acres.

SUPPORTING DOCUMENTS

The following reports are submitted in support of this Preliminary Plan and are referenced in this Letter of Intent:

- Traffic Impact Study prepared by LSC Transportation Consultants, Inc.
- Soils, Geology Report prepared by ENTECH Engineering, Inc.
- OWTS Report prepared by ENTECH Engineering, Inc. (packaged within the Wastewater Disposal Report prepared by RESPEC)
- Natural Resources Report prepared by Kimley-Horn
- Water Resources and Wastewater Disposal Report prepared by RESPEC
- Final Drainage Report prepared by Kimley-Horn
- Stormwater Management Plan prepared by Kimley-Horn

PROJECT DESCRIPTION

Overlook at Homestead Filing No. 1 is part of the 350-acre Overlook at Homestead subdivision (formerly the Dooley property) located along the east of Elbert Road and south of Apex Ranch Road. On January 11, 2024, the Board of County Commissioners approved a rezone application for the rezone of 350 acres from A-35 (Agricultural, 35-acre lots) to RR-5 (Residential Rural, 5-acre lots). On May 16, 2024 the Board

of County Commissioners approved a Preliminary Plan application for the Overlook at Homestead subdivision, consisting of 62 single-family lots on approximately 350.83-acres.



The properties surrounding Overlook at Homestead Filing No. 1 include:

North: Apex Ranch, a PUD subdivision with lots ranging in size from 3.099 acres to 5.107 acres; the remaining portion of the Overlook at Homestead subdivision with the same zoning.

East: Rural residential 5-acre + lots within the Reata Subdivision make up the eastern boundary.

South: Rural residential 5-acre + lots within the Reata Subdivision line the southern boundary.

West: Across Elbert Rd, A-35 agricultural lots line the western boundary of Overlook at Homestead Filing No.1.

Through the approval of the Preliminary Plan, it was concluded by County Staff, the Planning Commission, and the Board of County Commissioners that the density, lot sizes and transitions in lot sizes proposed for the Overlook at Homestead subdivision was compatible with the neighboring properties.

Overlook at Homestead Filing No.1 is the first 202-acre phase of the Overlook at Homestead subdivision and located immediately east of Elbert Rd. Filing No. 1 is wholly zoned RR-5 and all 36 of the proposed lots meet the minimum zoning standards for the RR-5 zone set out in Table 5-4 of the Land Development Code as follows:

Zone	Min. Lot Size	Min. Lot Frontage	Min. Front Setback	Min. Rear Setback	Min. Side Setback	Max. Lot Coverage	Max. Building Height
RR-5	5 acres	200 ft	25 ft	25 ft	25 ft	25%	30 ft

Access and Traffic: The TIS completed by LSC in October of 2023, assumes a max density of 0.2 DU/AC or 62 units on the 350.83 acre site. The TIS addresses the primary points of entry to the overall development area at the following locations:

- One existing stop-sign controlled intersection between Apex Ranch Road and Elbert Road. This assumes use of the two existing public street stubs provided from the Apex Ranch subdivision to the Overlook at Homestead property.
- One new public road connection intersection to be located 1,920 feet north of Sweet Road. This intersection will be stop-sign controlled.

It is anticipated this development would generate about 650 new vehicle-trips on the average weekday with 13 vehicles entering and 36 vehicles exiting the site in the morning. 40 vehicles are anticipated to enter the site in the afternoon with 23 vehicles exiting.

Analysis of future traffic condition indicates that the addition of site-generated traffic is expected to create minimal impact to traffic operations for the existing and surrounding roadway system upon roadway and intersection control improvements assumed within this analysis. No modifications would be required to the southbound approach on Elbert Road at either Apex Ranch Road or the proposed south access. All internal roadways are proposed to be public paved rural local residential streets. The restriping on Elbert Road will be addressed at the construction document stage.

Parcels to the and east, 4100000251, 4126000004, north 4100000031 will be afforded access as follows:

- 4100000251 is part of the El Paso County Homestead Ranch Regional Park, and a trail access is proposed as requested by the Parks Department. No vehicular access will be provided to this parcel.
- 4126000004 Right-of-way will be provided at the end of the Campout Drive cul-de-sac per Code requirements.
- 4100000031 Right-of-way will be provided at the end of the Apex Ranch Road cul-de-sac per Code requirements.

Trails: A 25-foot-wide trail easement is proposed through the Overlook at Homestead development along the Palmer Divide Trail alignment and connecting to the Homestead Ranch Park. This trail will eventually connect to the Woodlake Trailhead per the El Paso County Parks Master Plan. The trail will provide residents and neighbors access to regional open spaces and will promote multi modal travel in the area.

Drainage: The Final Drainage Report prepared by Kimley Horn in 2024 analyzes the existing drainage characteristics of the site and any required improvements. Overlook at Homestead Filing No. 1 is part of four major drainage basins: Upper Black Squirrel, La Vega Ranch, East Kiowa Creek & Bijou Creek. Three (3) stormwater ponds are proposed along with roadside ditches, culverts to convey stormwater under roads, swales. The implementation of these ponds and other associated infrastructure are designed to maintain stormwater flows below historic rates. The development's Metro District will maintain the three storm water ponds proposed within this filing. This project does not rely on the water quality or detention volumes provided by the existing basin within Apex Ranch.

Utilities: The following utilities are the current service providers being considered and line extension negotiations may be necessary to obtain service for the Overlook at Homestead property.

Water: The Water Resources Report prepared by RESPEC in June 2024 indicates that water service will be provided by individual domestic wells for the 36 residential lots. The wells will be drilled into the Upper Dawson aquifer. Water rights in the Dawson Aquifer of 81.73 acre-feet annually are available on the basis of decrees Nos. 4638-BD and 4638-RP. The 36 lots in Filing 1 will generate an annual demand of approximately 47.28 acre-feet, for which there is sufficient capacity in the Dawson aquifer. Replacement water required to augment depletions from the Dawson aquifer will be available through return flows from the OWTS septic fields.

Wastewater: Wastewater service will be provided by onsite wastewater treatment systems (OWTS). ENTECH's OWTS report concludes the site is suitable for individual on-site wastewater treatment systems within its cited limitations, namely the identification of a floodplain and areas with shallow bedrock. In order for appropriate on-site wastewater treatment systems to be installed designed systems are anticipated for a majority of the lots. Each property will need to be evaluated for this requirement. Each The following criteria are based on El Paso County OWTS Regulations, each septic system must meet the following minimum criteria.

- Treatment area is a minimum of four feet above bedrock and/or groundwater in septic area.
- Each treatment area must have an OWTS design prepared and presented to El Paso County and approved before an OWTS permit can be obtained.
- Physical setbacks of 100 feet from any well (existing or proposed) must be provided for desired treatment area.
- Treatment area must be 10 feet from any property lines, gulches, cut banks, and/or fill areas.
- Treatment area must be at least 50 feet from any water course, stream, lake, spring, irrigation ditch, or wetlands.
- OWTS must not fall in any restricted areas.

Electric: Electric service will be provided by MVEA and the site exists within their service area and a will serve letter is provided.

Gas: Gas will be provided by Black Hills Energy and, if service to this property is not feasible, propane tanks will be used to service the development.

Floodplain: The proposed Preliminary Plan is designated as Zone X, area of minimal flood hazard (FEMA Floodplain Map No. 08041C0350G, dated 12/07/2018). However, upon further investigation potentially seasonal shallow, seasonally shallow, ponded water, and springs have been found in areas with drainages in the southwestern portion of the site. These are mapped within the Wastewater study prepared by ENTECH June 2024. Subsurface perimeter drains are recommended for structures adjacent to the aforementioned drainages.

Wetlands: According to the Natural Resources Report done by Kimley Horn dated September 22, 2023 this proposed subdivision will keep most of the existing wetland habitats and natural springs as key drainageways through the site. The majority of drainage features on the site are spring-fed tributaries to Black Squirrel Creek and are non-jurisdictional based on correspondence with USACE. The western wetlands are mapped as freshwater emergent wetland and riverine, while the south-central wetland is mapped as a freshwater pond and riverine. The wetland area will be incorporated into future lots and impacts to these resources may occur depending on project design.

Natural Features/Vegetation: Two stock ponds are present on the southern portion of the site and the site contains four drainage basins (Bijou Creek, East Kiowa Creek, Upper Black Squirrel & La Vega Ranch). Rolling grassland hills make up most of the southern and western portions of the site. These natural features will be incorporated into future lots and will be largely undisturbed other than as needed to accommodate roads and home sites.

Noxious Weeds: According to the Weed Management Plan prepared by Kimley Horn dated December 4, 2023 the site contains scattered areas containing two species of noxious weeds. Noxious weeds observed on the project area include Musk thistle (*Carduus nutans*) and Cheatgrass (*Bromus tectorum*). Milk thistle is categorized as a List B species on the Colorado Noxious Weed list, and should be managed to prevent further spread. Cheatgrass is categorized as a List C species, which is considered more of a localized concern, but the State provides assistance to jurisdictions that choose to manage the species. The report also recommends eliminating or minimizing noxious weeds and invasive plants designated as “undesirable species” as included in the CDA “watch list.” The report prescribes chemical and mechanical means of managing the noxious weeds. Following construction, the Metropolitan District will be responsible for weed control in the open space tracts. With the individual lots, weed control will be the responsibility of the individual home owner and will be enforced through covenants.

Wildlife: Based on the Natural Resources Report prepared by Kimley Horn dated September 22, 2023 wildlife habitat impacts are unavoidable, but the implementation of a stormwater management plan will assist in protecting water quality in downstream reaches, which will provide benefits to aquatic species including amphibians and invertebrates. In addition, detention facilities may add seasonal water features that could support further wildlife like waterfowl. The plan to remove few trees on the site for construction and wildfire hazard reduction will make impacts to forest species negligible. Since

grasslands are the dominant habitat type, the associated species are expected to experience the greatest disturbance. Deer, foxes and bears may experience adverse effects from an increased state of urbanization in close proximity to wildland areas in the greater vicinity.

No impacts are expected for federally or state listed threatened species.

Soils and Geology: The Soils and Geology Report prepared by ENTECH June 2024 the geologic conditions that occur on the property, including artificial fill, expansive soils, groundwater and floodplains, areas of ponded water, debris fans/debris flow susceptibility, rockfall, slope stability and landslide hazard, shallow bedrock, and radon. The report summarizes that the proposed development of the site can be achieved if the constraints previously mentioned are mitigated through proper design and construction or through avoidance. Investigation on each lot is recommended prior to construction.

Wildfire: As stated in the Natural Resources Report prepared by Kimley Horn dated September 22, 2023, the wildfire risk and burn probability are not expected to change with development of the project site. The site is predominantly “Low Risk” with smaller areas of “Moderate Risk” and “Lowest Risk” according to WRAP. The Peyton Fire Protection District is located approximately 4.5 miles from the site on Railroad Street and will service the property. Wildfire fuels are likely to be removed through development and the CC&Rs will require Firewise construction and landscaping.

PROJECT JUSTIFICATION

The Final Plat is consistent with the approval criteria in Section 7.2.1.D.3.f as follows:

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;

The project site is denoted as a Rural placetype in Your EPC Master Plan. The primary land uses in this placetype are Farm/Homestead Residential, Parks/Open Space & Agriculture. The proposed 5-acre lots align with the Supporting Use of Estate Residential (Minimum 1-unit/5-acres) of the Your EPC Master Plan. This Preliminary Plan provides further contiguity in the County’s land use by connecting two currently separated Large-Lot Residential developments – one to the west (Apex Ranch) and one to the south (Reata Subdivision). The Rural placetype in this part of the county continues to transition towards large-lot residential around the Peyton Rural Center and this development would progress that trend.

The project meets the following Core Principles and Goals set forth in the County Policy Plan:

Core Principle 1, Land Use and Development, seeks to “Manage growth to ensure a variety of compatible land uses that preserve all character areas of the county,” and Goal 1.1 seeks to, “Ensure compatibility with established character and infrastructure capacity.”

The proposed 5-acre lot development continues the rural density approved with the adjacent subdivisions in the County and will provide a transition from the PUD (Apex Ranch, with a gross density of 1 D.U. per 4.946 acres) to the existing RR-5 residences south of the site. The submitted traffic study indicates that the development can be accommodated with minimal impact to traffic operations for the existing and surrounding roadway system.

Core Principle 4, Transportation & Mobility, seeks to “Connect all areas of the County with a safe and efficient multimodal transportation system” Goals 4.1 and 4.2 respectively seek to, “Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion, promoting safe and efficient travel” and, “Promote walkability and bikability where multimodal transportation systems are feasible.”

The proposed trail easement would accomplish these goals by connecting more homes to an east-west trail that directly links with a nearby regional open space. When built, the trail moving through the proposed Preliminary Plan and Apex Ranch would be only two parcels away from connecting to the EPC Woodlake Trailhead.

2. The subdivision is in substantial conformance with the approved preliminary plan;

Overlook at Homestead Filing No. 1 is in substantial conformance with the lot and layout configuration on the Preliminary Plan.

3. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;

The Overlook at Homestead Filing No. 1 subdivision is in conformance with the subdivision design standards, which are discussed in more detail below. The subdivision design standards set out in Chapter 8 of the Land Development Code are met, including but not limited to:

- adequate provision for traffic, drainage, open space, recreation and parks;
- provision of properly designed roads to provide for safe and convenient vehicular circulation and identification of required road improvements;
- adequate provision for water, sewer and other utilities;
- Ensuring that structures will harmonize with the physical characteristics of the site;
- Ensuring that land is divided into lots that are of adequate size and configuration for the purpose for which they are intended to be used; and
- Protecting the natural resources, considering the natural vegetation.

4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;

Water service will be provided by individual domestic wells on the 36 residential lots. The wells will be drilled into the Dawson Aquifer and rely on existing water rights. Water quality testing of the Dawson Aquifer wells has been completed and is of sufficient quality to serve the proposed residential development. Water Rights in the Upper Dawson aquifer of 81.73 acre-feet were allocated in Water Decree No. 4638-BD. The 47 lots in Filing 1 will generate an annual demand of approximately 47.28 acre-feet, for which there is sufficient capacity in the Dawson aquifer. Replacement water required to

augment depletions from the Dawson aquifer will be available through return flows from the OWTS septic fields.

5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;

Wastewater service will be provided by onsite wastewater treatment systems (OWTS). The Wastewater Disposal Report prepared by RESPEC includes ENETCH's Wastewater Study prepared June 2024. The study concludes that the property is generally suitable for OWTS if the named constraints are properly mitigated or avoided and that contamination of surface and subsurface water sources should not occur provided the systems are installed according to El Paso County and State guidelines. The Report identifies floodplains on the site and notes that floodplain areas are not suitable for OWTS. Some lots are impacted but still have sufficient space for OWTS due to the size of the lot. The report concludes that the majority of lots will require designed systems and each property will need to be evaluated for this requirement.

6. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];

The Soils and Geology Report prepared by Entech in June of 2024 identifies the geologic conditions that occur intermittently on the property and will impose some constraints on the proposed development, including artificial fill, expansive soils, shallow bedrock, seasonally shallow, potential seasonally shallow groundwater areas, springs, potentially unstable slopes, rockfall and debris flow susceptible areas will be encountered on lots located at the base of the bluff. The report indicates that these conditions can be mitigated through proper engineering design and construction techniques or avoidance. Areas affected by seasonal shallow and potential seasonally shallow groundwater may require drains adjacent to the structure to help prevent intrusion of water into areas below grade. Basements should be feasible across the majority of the site, but lot specific subsurface soil investigations will be required. The potentially unstable slope areas along the mesa are considered stable in their current condition, but care must be exercised in these areas as to not activate instability. The steeper slopes should be avoided by development and a minimum of a 30-foot setback from the crest of the cliffs/steep slopes is recommended. Once building locations are determined additional investigation may be warranted. Site grading should direct surface flows around structures around the top of the mesa where recent minor debris fans/erosion have been observed. Drainage culverts and other drainage infrastructure should be adequately sized for the potential sediment laden flows during significant precipitation events. In areas of concentrated flows channel armoring, including permanent channel armoring should be utilized to prevent accelerated erosion which in turn could create unstable conditions.

7. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;

These matters are addressed in the Final Drainage Report prepared by Kimley Horn prepared in 2024. Proposed drainage infrastructure includes road side ditches, culverts to convey stormwater under roads, swales, and three (3) full spectrum detention ponds. All proposed drainage basins have been designed in effort to keep runoff within the same existing basins, as to not transfer runoff between basins. The proposed ponds and associated drainage infrastructure are systematically designed to reduce peak stormwater flow rates, down below historic rates before leaving the site. These measures comply with the requirements of the LDC and ECM.

8. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;

Lots will be accessible by new public streets that will comply with the LDC and ECM. Street names have been approved by El Paso–Teller County 911 Authority.

9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;

The site will be served by well and septic as described above. Mountain View Electric and Black Hills Energy will provide electric and natural gas services as stated in the Will Serve letters included in this submittal. Adequate streets are provided to serve the future residents of the subdivision.

10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;

The Peyton Fire Protection District has adequate capacity to provide fire protection to the proposed subdivision. A Fire Protection Report and a Will Serve letter from the Fire Chief is included with this submittal.

11. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;

The need for off-site improvements have been studied and it is concluded that the Overlook at Homestead development, including Filing No. 1, does not meet the thresholds set forth by El Paso County to trigger off-site improvements.

12. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;

All public improvements are to be constructed or financially guaranteed through the SIA. Cash in lieu of regional park and school land provision will be paid on recordation of the Final Plat.

13. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code;

The proposed subdivision meets the applicable sections of the Code.

14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision.

There are no know mineral estate interests associated with this property.